

DETAILED ACTION

Response to Arguments

1. Applicant's arguments in the Response filed 6/26/08 (page 5, line 5 - page 6, line 2) with respect to claims 24-27 have been fully considered and are persuasive. The rejection of claims 24 & 27 under 35 USC §112 and the rejection of claims 25-26 under 35 USC §102 have been withdrawn.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 28 is rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. The recited computer-readable recording medium having the recited arrangement of functional descriptive material, critical or essential to the practice of the invention, but not included in the claim(s) is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976).

The disclosed arrangement for recording picture signals (e.g. Specification page 38, lines 5-9) does not disclose the claimed computer-readable medium having the recited functional

descriptive material. Note that a disclosure of a computer-readable medium having picture signals recorded thereupon, absent a particular data structure functionality, is an example of nonstatutory non-functional descriptive material.

Allowable Subject Matter

4. Claims 24-27 are allowed.
5. The following is a statement of reasons for the indication of allowable subject matter:

As noted above, Applicant's arguments in the Response filed 6/26/08 (page 5, line 5 - page 6, line 2) with respect to claims 24-27 have been fully considered and are persuasive.

Particularly re claim 25 (and dependent claim 26), the art of record does not teach or suggest the recited arrangement of decoding a coded stream generated by coding a random access unit via extracting a coded first parameter set located before a coded first I-picture, decoding the first parameter set, and decoding the current coded picture using the decoded parameter set.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is

reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning the contents of this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 571-272-7430.

Any inquiry relating to the status of this application, entry of papers into this application, or other any inquiries of a general nature concerning application processing should be directed to the Tech Center 2600 Customer Service center at 571-272-2600 or to the USPTO Contact Center at 800-786-9199 or 571-272-1000.

The examiner can normally be reached on weekdays 8:00-5:30, alternate Fridays off.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 571-272-7437.

Faxes pertaining to this application should be directed to the Tech Center 2600 official fax number, which is 571-273-8300.

Hand-carried correspondence may be delivered to the Customer Service Window, located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314.

/S. M. B./

Primary Examiner, Art Unit 2625

/Thomas D Lee/

Primary Examiner, Art Unit 2625